

Appln No. 10/815,641  
Amdt. Dated February 10, 2006  
Response to Office Action of December 19, 2005

19

### **REMARKS/ARGUMENTS**

The Office Action has been carefully considered. It is respectfully submitted that the issues raised are traversed, being hereinafter addressed with reference to the relevant headings appearing in the Detailed Action section of the Office Action.

The Applicant has amended claims. The Applicant respectfully submits that the amendments to the claim set are fully supported by the originally filed specification.

Claim 1 has been amended to include the limitations of previous claim 3, now cancelled. Claim 13 has been amended to include the limitations of previous claim 14, now cancelled. Claim 20 has been amended to include the limitations of previous dependent claim 3. Claim 21 has been amended to include the limitations of previous dependent claim 3. Claim 22 has been amended to include the limitations of previous claim 3. Claim 34 has been amended to include the limitations of previous dependent claim 3. Claim 38 has been amended to include the limitations of previous claim 14. Claim 41 has been amended to include the limitations of previous claim 3.

#### ***Claim Objections***

Claim 36 has been amended to replace "it" with "the scanning patch".

#### ***Claim Rejections - 35 USC §102***

The Examiner rejects claims 1, 2, 12, 13, 19 - 22, 26, 29, 30, 32 - 35 and 37 - 44 under 35 USC 102(b) as being anticipated by Marcum (US 6,314,337). Reconsideration and withdrawal of the rejection is respectfully requested in light of the amendments to the independent claims 1, 13, 20, 21, 22, 34, 38 and 41.

Marcum does not disclose or suggest that indicating data indicative of the identity of the object, using the sensed coded data portion, is utilised to generate at least one of: a position of the sensed coded data portion; a position of the sensing device relative to the interface surface; an orientation of the sensed coded data; and an orientation of the sensing device relative to the interface surface. Marcum discloses that scanners 24a and 24b transmit label

Appln No. 10/815,641  
Amdt. Dated February 10, 2006  
Response to Office Action of December 19, 2005

20

readings to a decoder box 26 where they are compared to see if the chassis 16 label and the tote 18 label match (col 3, line 66 - col 4, line 2). Thus, Marcum is silent concerning the features introduced into the independent claims.

***Claim Rejections 35 USC §103***

The Examiner rejects claims 23 - 25, 27, 28, 31 and 36 under 35 USC 103(a) as being unpatentable over Marcum. As these claims now depend from amended independent claims it is respectfully submitted that these dependent claims are not obvious in light of Marcum.

***Specification***

Page 1-3 of the specification have been updated to replace docket numbers with corresponding United States application numbers. The Applicant submits that this amendment introduces no new matter.

Appln No. 10/815,641  
Amdt. Dated February 10, 2006  
Response to Office Action of December 19, 2005

21

**CONCLUSION**

In view of the foregoing, it is respectfully requested that the Examiner reconsider and withdraw the rejections. The present application is believed to be in condition for allowance. Accordingly, the Applicant respectfully requests a Notice of Allowance of all the claims presently under examination.

Very respectfully,

Applicant:



---

KIA SILVERBROOK

Applicant:



---

PAUL LAPSTUN

C/o: Silverbrook Research Pty Ltd  
393 Darling Street  
Balmain NSW 2041, Australia

Email: [kia.silverbrook@silverbrookresearch.com](mailto:kia.silverbrook@silverbrookresearch.com)

Telephone: +612 9818 6633

Facsimile: +61 2 9555 7762